

REMARKS

Claims 1 through 12 remain pending. In this Response to the non-final Office Action dated January 24, 2006, the specification, abstract and claims 1 through 6 are amended and new drawing Fig. 9 is submitted. Care has been taken to avoid the addition of new matter. Favorable reconsideration of the application is respectfully solicited.

Upon review of the application, an error in translation has been discovered throughout. The term light “bulb” has been used to describe the liquid crystal panels 9. In fact, the liquid crystal panels modulate the light output by light source, lamp 13, as described, for example, in the specification at the first full paragraph of page 9. The crystal panels function as a light valve, rather than source of light, such as a lamp or bulb. The specification and claims have been amended, where appropriate, to replace the word “bulb” with “valve” to correct this error in translation.

Objection has been made to the drawing for failing illustrate the fan arranged above the light “bulb” as called for, for example, in claim 6. In response to the requirement that the drawings show every claimed feature, new Fig. 9 is submitted herein as a separate drawing sheet. The specification has been amended to appropriately describe the new drawing figure, consistent with the description thereof in the claims. Withdrawal of the objection is respectfully solicited.

Claims 1 and 3 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. patent 6,558,004 (Ito). Claims 2 and 4 through 12 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ito.

Independent claims 1, 5 and 6 each require, *inter alia*, a first cooling fan that cools the light source unit and a second cooling fan that cools the light valve and an electric power source of the device. In the present invention, two fans, that is, an axial fan 17 and a sirocco fan 10 are

provided. The axial fan 17 is used to cool the light source (lamp 13) which generates a great amount of heat. On the other hand, the sirocco fan 10 is used to cool the light valve 9 and the electric power source 5 which generate relatively smaller amounts of heat. By separating fans into one for a component which generates a large heat amount and one for components which generate relatively smaller heat amounts, it is possible to optimize respective capacities of the fans 10, 17, so that noise can be reduced.

Further, the sirocco fan 10 cools also the electric power source 5 in addition to the light valve 9. By utilizing one fan in order to cool a plurality of components, it is possible to reduce the number of fans to be used in the projection display unit, so that noise can be reduced.

The projector of Ito et al. includes five fans 51, 52, 53, 54, 55 and three cooling systems A, B, C. None of the cooling systems cools the electric power source 5 in addition to the light valve 9. Ito does not disclose or suggest utilization one fan to cool a plurality of components in order to reduce noise.

Issue is taken with the holding in the Office Action that “a particular arrangement of known parts” precludes patentability for obviousness. Legal precedent is well developed on the subject of obviousness in the application of a rejection under 35 U.S.C. §103. It is incumbent upon the examiner to factually support a conclusion of obviousness. *In re Mayne*, 104 F.3d 1339, 41 USPQ2d 1451 (Fed. Cir. 1997); *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). The examiner must provide a reason why one having ordinary skill in the art would have been led to modify a particular prior art reference in a particular manner to arrive at a particular claimed invention; *Ecolchem Inc. v. Southern California Edison, Co.* 227 F.3d 361, 56 USPQ2d 1065 (Fed. Cir. 2000); *In re Rouffet*, 149 F.3d 1350, 47 USPQ2d 1453 (Fed. Cir. 1998). *Ashland Oil, Inc. v. Delta Resins & Refractories, Inc.*, 776 F.2d 281, 227 USPQ 657

(Fed. Cir. 1985); *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); *Stratoflex, Inc. v. Aeroquip Corp.*, 713 F.2d 1530, 218 USPQ 871 (Fed. Cir. 1983); *In re Warner*, 379 F.2d 1011, 154 USPQ 173 (CCPA 1967).

In order to establish the requisite motivation, "clear and particular" factual findings must be made as to a specific understanding or specific technological principle which would have realistically compelled one having ordinary skill in the art to modify a particular reference to arrive at the claimed invention based upon facts-- not generalizations. *Ruiz v. A.B. Chance Co.*, 234 F.3d 654, 57 USPQ2d 1161 (Fed. Cir. 2000); *Ecolchem Inc. v. Southern California Edison Co.* 227 F.3d 361, 56 USPQ2d 1065 (Fed. Cir. 2000); *In re Kotzab*, 217 F.3d 1365, 55 USPQ 1313 (Fed. Cir. 2000); *In re Dembiczak*, 175 F.3d 994, 50 USPQ2d 1614 (Fed. Cir. 1999). What may or may not be known in general does not establish the requisite realistic motivation for obviousness; see *In re Deuel*, 51 F.3d 1552, 34 USPQ2d 1210 (Fed. Cir. 1995). It must be recognized that the fact that the prior art *could* be modified so as to result in the combination defined by the claims would not have made the modification obvious unless the prior art would have suggested the desirability of the modification. *In re Deminski*, 796 F.2d 436, 230 USPQ 313 (Fed. Cir. 1986). In the absence of such a prior art suggestion for modification of the references, the basis of the rejection is no more than inappropriate hindsight reconstruction using appellant's claims as a guide. *In re Warner*, 379 F.2d 1011, 154 USPQ 173 (CCPA 1967).

The modification of Ito proposed in the Office Action is not a mere rearrangement of known parts. The Office Action recognizes at paragraph 3 that Ito does disclose an arrangement that is different from the claimed combination. This difference is significant for the resulting advantages of the claimed invention that are discussed above. The Office Action has identified no portion of the Ito disclosure that would have led the artisan to believe that a deficiency in the

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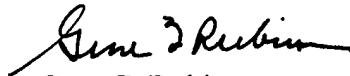
Ito system should be overcome or improved by rearranging the fan structures, capacities or positioning, or air ducts and input and exit ports.

In summary, a person of ordinary skill in the art would not have been compelled to modify the Ito disclosure based on a consideration thereof. It is submitted, therefore, that claims 1 through 12 are patentably distinguishable from Ito.

Allowance of the application is respectfully solicited. To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP



Gene Z. Robinson
Registration No. 33,351

600 13th Street, N.W.
Washington, DC 20005-3096
Phone: 202.756.8000 GZR:lnm
Facsimile: 202.756.8087
Date: April 20, 2006
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